

SUMTER COUNTY SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondents: Derrick F & Angel Lynn Holt

File No.: CE2010-0135

This cause was presented for public hearing before the Sumter County Special Master, Sumter County, Florida, on June 24, 2010, after due notice to the Respondents. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I: FINDINGS OF FACT:

- A. The Respondents own real property located at 2837 CR 426E, Lake Panasoffkee, Florida, also known as parcel identification number F31B027.
- B. The Respondents were sent a Notice of Hearing by certified mail, and the property was posted, stating a hearing would be held before the Sumter County Special Master to determine whether the Respondents were violating Sections 13-E.3.1.2 SHC 305.5, 13-E.3.1.2 SHC 302.1, 13-E.3.1.2 SHC 305.23.2, 13-E.3.1.2 SHC 305.7, and 13-E.3.1.2 SHC 307.4 of the Sumter County Code.
- C. Photographs of the violations taken on 6/24/2010 were submitted into the record.
- D. The Respondents were not present.
- E. Jim Shady, Inspector, testified the property does not have homestead exemption. Mr. Shady testified the code case began on 4/19/2010, and his last visit to the property was on 6/24/2010, in which the property remained in violation due to the trash/debris, raw sewage, missing skirting, and missing windows. Mr. Shady testified the occupants at the property informed him they were renting with the option to buy and plan to have the original owner take it back.
- F. Mr. Shady recommended the Respondents bring the property into compliance by removing the trash/debris, making the necessary repairs, and paying staff costs in the amount of \$361.06 within 10 days or a \$50 daily fine be assessed.

II: CONCLUSIONS OF LAW:

- A. E.3.1.2 SHC 305.5 SHC STAIRS, PORCHES & APPURTENANCES
Every inside and outside stair, porch or appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.
- B. E.3.1.2 SHC 302.1 SHC SANITARY FACILITIES
Every dwelling shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and waste water pipe shall be properly installed and maintained in good sanitary working condition free from defects, leaks and obstructions.
- C. E.3.1.2 SHC 307.4 SHC SANITATION REQ-CARE OF PREMISES
It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property, for the open storage of any abandoned motor vehicle, ice box, refrigerator, stove, glass, and building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove

all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the Housing Official.

D. E.3.1.2 SHC 305.23.2 SHC SKIRTING 2

Replacement or new skirting shall be constructed of materials intended for exterior use and properly sized and mounted to prevent access to the crawl space of the structure. Crawl space access grille or door and ventilation grilles shall be sized according to local code requirements.

E. E.3.1.2 SHC 305.7 SHC WINDOWS-GENERAL

Every window shall be substantially weather-tight, water-tight and rodent-proof and shall be kept in sound working condition & good repair.

F. The Respondents are in violation of all of the above-named codes due to the trash/debris and the mobile home requiring repair.

III: ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

- A. The Respondents were found in violation due to the trash/debris and the mobile home requiring repair.
- B. The Respondents were ordered to comply by removing the trash/debris, making the necessary repairs, and paying staff costs in the amount of \$361.06 within 2 weeks. If not, a \$25 daily fine will accrue until the property is found in compliance and costs are paid.
- C. In addition to any fines, the Respondents shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorneys' fees, recording costs, and any other costs associated with the collection of this ORDER.

DONE AND ORDERED this _____ day of _____, 2010, in Bushnell, Sumter County, Florida.

R. Lee Hawkins, Jr., Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by certified mail to the respondents on this _____ day of _____, 2010.

Alysia Akins – Code Enforcement/Licensing Coordinator